

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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U.S. DISTRICT COURT
SAN JUAN, P.R.



Date: 2020.11.09
By: Reina Alvarez
Courtroom Deputy

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS JOEL VARGAS MARTELL,

Defendant.

BILL OF INFORMATION

Criminal No. **20-cr-383 (SCC)**

Violations:

Count 1. Export Smuggling, 18 U.S.C. §§ 554 and 2

Count 2. Lacey Act Wildlife Trafficking, 16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(1)(B) and 18 U.S.C. § 2

Count 3. Lacey Act False Labeling, 16 U.S.C. §§ 3372(d)(2), 3373(d)(3)(A)

THE UNITED STATES ATTORNEY CHARGES:

At all times material to this Bill of Information:

COUNT ONE
(Export Smuggling)

From on or about August 10, 2014, through on or about December 15, 2015, in the District of Puerto Rico, the defendant, LUIS JOEL VARGAS MARTELL, did knowingly export and aid and abet the exportation of merchandise, articles, and objects (to wit: at least fifteen commercial shipments of live, reef-associated marine organisms including anemones, zoanthids, and species of the genus *Ricordea*) contrary to law and regulation of the United States (to wit: the requirement to hold a U.S. Fish and Wildlife Service Import/Export License as provided by 50 C.F.R. § 14.91).

All in violation of 18 U.S.C. §§ 554 and 2.

COUNT TWO
(Lacey Act Wildlife Trafficking)

From on or about February 29, 2016, through on or about March 30, 2016, in the District of Puerto Rico, the defendant, LUIS JOEL VARGAS MARTELL, did knowingly engage in conduct that involved the sale and purchase of, the offer of sale and purchase of, and the intent to sell and purchase fish and wildlife (to wit: at least forty shipments of live, reef-associated marine organisms including anemones, zoanthids, and species of the genus *Ricordea*) with a market value in excess of \$350, and did knowingly transport and sell, and knowingly aid and abet the transport and sale of, said fish and wildlife in interstate commerce, while knowing that the fish and wildlife had been taken in violation of, and in a manner unlawful under, the laws and regulations of Puerto Rico (to wit: Article 9 of Puerto Rico Law 147 (Law for the Protection, Conservation, and Management of the Coral Reefs of Puerto Rico) and Article 8.32 of the Puerto Rico Fishing Regulation No. 7949 (2010)), in that the defendant personally participated in the illegal harvest of these marine organisms.

All in violation of the Lacey Act, 16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(1)(B) and 18 U.S.C. § 2.

COUNT THREE
(Lacey Act False Labeling)

From on or about June 25, 2015, through on or about March 30, 2016, in the District of Puerto Rico, the defendant, LUIS JOEL VARGAS MARTELL, did knowingly make false labels for, and false identifications of, fish and wildlife (to wit: on shipping labels and invoices, the defendant falsely described living reef organisms such as anemones, zoanthids, and species of the genus *Ricordea* as “pet supplies,” “ceramic frag plugs,” and similar inanimate objects for at least forty shipments sent to the mainland United States and foreign countries as part of the commercial marine aquarium trade), that were and were intended to be transported in interstate

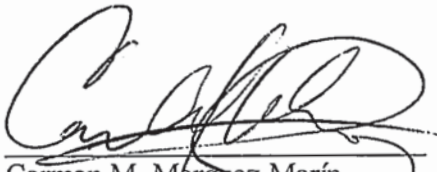
and foreign commerce, having a market value greater than \$350, and did engage in conduct that involved the sale and purchase of, offer of sale and purchase of, and commission of an act with an intent to sell and purchase fish and wildlife.

All in violation of the Lacey Act, 16 U.S.C. §§ 3372(d)(2), 3373(d)(3)(A).

W. Stephen Muldrow
UNITED STATES ATTORNEY



Seth Erbe
Assistant United States Attorney
Chief Financial Fraud and Public
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